

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*
State Engineer**

Plaintiff,

v.

Ramon Aragon, *et al.*,

Defendants.

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
& Canjilon Creek**

Subfile No. CHCJ-001-0001

**ORDER TO VACATE DEFAULT JUDGMENT
AND GRANT LEAVE TO FILE A CONSENT ORDER
IN SUBFILE NO. CHCJ-001-0001**

This matter is before the Court upon on the State of New Mexico's December 6, 2002 motion (Docket No. 6984) for an order to vacate the August 29, 2002 Order Granting Default Judgment (Docket No. 6835) with respect to defendants ALFRED J. CHAVEZ and SARAH CHAVEZ in subfile CHCJ-001-0001. The State requests that the August 29, 2002 default order be vacated only with respect to defendants Alfred J. Chavez and Sarah Chavez and that the Order remain in effect with respect to the other defendants named therein. The Court, being fully advised, finds the State's motion is well taken and should be granted.

It is therefore ORDERED that the August 29, 2002 Order Granting Default Judgment (6835) is VACATED with respect to defendants Alfred J. Chavez and Sarah Chavez, and only these defendants. It

is further ordered that the State and the defendants have leave to file a consent order in subfile CHCJ-001-0001 that will adjudicate the water rights of the defendants by agreement.

/electronic signature/
JOHN EDWARDS CONWAY
UNITED STATES DISTRICT JUDGE

Recommended for approval:

/electronic signature/
Special Master Vickie L. Gabin